

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HENG REN SILK ROAD INVESTMENTS LLC et al.,	:	:
	:	:
Plaintiffs,	:	19-CV-2680 (JMF)
	:	
-v-	:	<u>ORDER</u>
	:	
SINO AGRO FOOD, INC. et al.,	:	
Defendants.	:	
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JESSE M. FURMAN, United States District Judge:

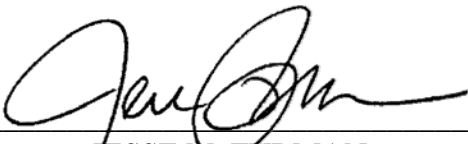
The parties are hereby ORDERED to submit a joint letter, not to exceed three (3) pages, by **July 21, 2020**, addressing why the proposed notice is directed to shareholders who “owned stock of the Company as of June 30, 2020 *and* continue to own such stock through . . . the date of the Settlement Hearing,” ECF No. 90-5, ¶ 25 (emphasis added), rather than to all “current SIAF Shareholder[s]” as stated in the proposed order, ECF No. 94, ¶ 7. *See also, e.g., White v. Auerbach*, 500 F.2d 822, 828 (2d Cir. 1974) (discussing Rule 23.1, quoting that it requires notice to be provided to the company’s “shareholders”); *In re Google Inc. S’holder Derivative Litig.*, No. CV-11-04248-PJH, Docket No. 147, at 31 (N.D. Cal. Nov. 6, 2014) (providing “[a]ny Google stockholder” with the opportunity to object); *In re AOL Time Warner S’holder Derivative Litig.*, 2006 WL 2572114, at *2 (S.D.N.Y. 2006) (approving of settlement and notice as provided to the company’s “shareholders”).

In addition, the parties should clarify the correct date of the Settlement Agreement. *Compare* ECF No. 90-5, at 2 (stating that the agreement is “dated June 30, 2020”) *with id.* at 3 (“The Settlement was entered into as of June 27, 2020) *and* ECF No. 90-3, at 5-6 (agreement’s signature pages dated June 27, 2020).

Any corrected Proposed Notice should be filed with the joint letter by the same date.

SO ORDERED.

Dated: July 17, 2020
New York, New York



JESSE M. FURMAN
United States District Judge